



Town Council Agenda Report

SUBJECT: Ordinance - Vacation/Abandonment

CONTACT PERSON/NUMBER

Mark Kutney, AICP (797-1101)

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING A PORTION OF ROAD RIGHT-OF-WAY FOR OAKES ROAD ADJACENT TO THE "Y.A.F. PLAT"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(VA 8-2-00, Portion of Oakes Road Right-of-way Vacation)

REPORT IN BRIEF:

To vacate a portion of right-of-way known as Oakes Road adjacent to the subdivision platted as "Y.A.F." as recorded in Plat Book 125, Page 26, of the Broward County Records.

PREVIOUS ACTIONS:

Town Council approved application VA 8-2-00 on its merits (Motion carried: 5-0, November 1, 2000).

CONCURRENCES:

Engineering Division recommends approval.

The Planning and Zoning Board recommended approval (motion carried: 5-0, October 11, 2000).

RECOMMENDATION(S): Motion to approve the ordinance.

Attachment(s): Ordinance, Plat, Sketch and Description, Plan, Land Use Map, Subject Site Map, and Aerial.

Prepared By:
Geri A. Baluss
Town of Davie
6591 Orange Drive
Davie, FL 33314

Return To:
Town Clerk's Office
Town of Davie
6591 Orange Drive
Davie, FL 33314

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING A PORTION OF ROAD RIGHT-OF-WAY FOR OAKES ROAD ADJACENT TO THE "Y.A.F. PLAT"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a portion of the Oakes Road right-of-way located adjacent to the "Y.A.F." plat, specifically described on Exhibit "A" attached hereto, was accepted as a public right-of-way; and

WHEREAS, the owner of adjacent property has petitioned the Town Council to vacate and abandon said right-of-way; and

WHEREAS, The Town Council conducted a public hearing, advertised as prescribed by law on the date of adoption of this Ordinance; and

WHEREAS, the Town Council did agree to such vacation, after conducting said public hearing and finding that the subject right-of-way no longer serves a public purpose; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That a portion of the Oakes Road right-of-way located adjacent to the "Y.A.F. Plat", specifically described on Exhibit "A" attached hereto, is hereby vacated by the Town of Davie.

SECTION 2. Easements located within the property described on Exhibit "A" are not vacated and shall be maintained in perpetuity.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent

and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS ____ DAY OF _____, 2000.

PASSED ON SECOND READING THIS ____ DAY OF _____, 2000.

MAYOR/COUNCILMEMBER

ATTEST:

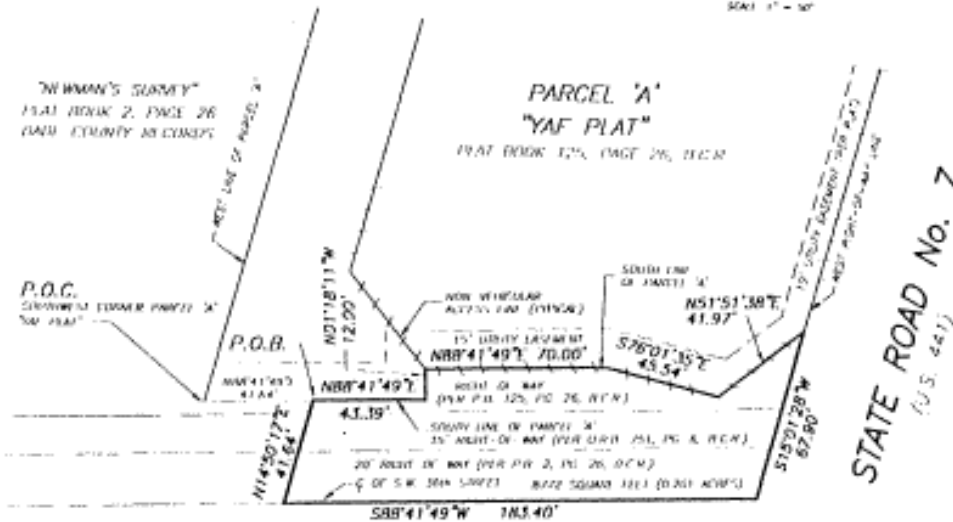
TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2000.

EXHIBIT "A"

SKETCH & DESCRIPTION

A PORTION OF THE RIGHT-OF-WAY "YAF PLAT",
PLAT BOOK 124, PAGE 26, D.C.R. AND A PORTION OF
"NEWMAN'S SURVEY" PLAT BOOK 2, PAGE 26, DADE COUNTY RECORDS
TOWN OF DAVIS, BROWARD COUNTY, FLORIDA



S.W. 36th STREET (OAKES RD.)

LEGEND:

- D.C.R. DEEDS, D.C.R.
- D.C.R. DEEDS, D.C.R.
- D.C.R. DEEDS, D.C.R.
- D.C.R. DEEDS, D.C.R.
- D.C.R. DEEDS, D.C.R.
- D.C.R. DEEDS, D.C.R.
- D.C.R. DEEDS, D.C.R.
- D.C.R. DEEDS, D.C.R.

LAND DESCRIPTION:

A PORTION OF THE RIGHT-OF-WAY AS SHOWN ON THE "YAF PLAT", ACCORDING TO THE PLAT THEREIN AS RECORDED IN PLAT BOOK 124, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, AND A PORTION OF "NEWMAN'S SURVEY", ACCORDING TO THE PLAT THEREIN AS RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF PARCEL "A", OF SAID "YAF PLAT", THENCE NORTH 88°41'49" EAST, ALONG THE SOUTH LINE OF PARCEL "A" OF SAID "YAF PLAT", 41.64 FEET TO THE POINT OF BEGINNING, (THE FOLLOWING ARE CORNERS AND ALONG THE SOUTH LINE OF SAID PARCEL "A") THENCE NORTH 88°41'49" EAST 43.19 FEET, THENCE NORTH 07°18'11" WEST 12.00 FEET, THENCE NORTH 88°41'49" EAST 20.00 FEET, THENCE SOUTH 26°01'35" EAST 45.54 FEET, THENCE NORTH 51°51'38" EAST 41.97 FEET, THENCE SOUTH 53°01'28" WEST ALONG A LINE BEING THE PROLONGATION OF THE EAST LINE OF SAID PARCEL "A" A DISTANCE OF 67.90 FEET, THENCE SOUTH 88°41'49" WEST ALONG THE CENTERLINE OF S.W. 36TH STREET (OAKES RD.), 183.40 FEET, THENCE NORTH 14°50'12" EAST ALONG A LINE BEING THE PROLONGATION OF THE EAST LINE OF THE 40'000' ACCESS EASEMENT ALONG THE WEST SIDE OF SAID PARCEL "A" AS SHOWN ON SAID "YAF PLAT", 41.64 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITuate, LYING, AND BEING IN THE TOWN OF DAVIS, BROWARD COUNTY, FLORIDA, CONTAINING 8772 SQUARE FEET (0.201 ACRES), MORE OR LESS.

SURVEYOR'S NOTES:

- NOTED AND RECORDED THE SIGNATURE AND THE ORIGINAL PLAT BOOK OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OR RECORDS BY ABSOLUTE SURVEYING INC.
- BOUNDRIES SHOWN HEREON ARE RELATED TO THE "YAF PLAT" AS RECORDED IN PLAT BOOK 124, PAGE 26 OF THE PUBLIC RECORDS OF BROWARD COUNTY.
- THIS IS NOT A LAND SURVEY.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS "SKETCH & DESCRIPTION" IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, I FURTHER CERTIFY THAT THIS DESCRIPTION MEETS THE MODERN TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 461.17, F.L.A. ADMINISTRATION CODE, PURSUANT TO SECTIONS 461-020, FLORIDA STATUTES.

DATE: 8-7-00

BY: Mitchell R. Mallory

Mitchell R. Mallory
Professional Surveyor & Mapper
Florida Registration No. 40531

PROJECT No.: 98347

ABSOLUTE SURVEYING INC.

LAND SURVEYING
1600 WEST OAKLAND PARK BLVD.
SUITE 302
FORT LAUDERDALE, FL 33311
(954) 777-7711
FAXED BUSINESS NO. 8218



REVISION	OWN	DATE	BY	CHK
REVISED WEST LINE	AK	8-7-00		AK
REVISED AREA	AK	8-7-00		AK

